

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

FILED
2009 APR -8 PM 12:44
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY KW
DEPUTY

**HITUL GANDHI, Individually and on
behalf of a class of others similarly
situated**
Plaintiff,

§
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§
§

VS.

CAUSE NO. A-08-CA-248 JRN

§
§

**DELL, INC., and DELL MARKETING
USA, L.P.**
Defendants

§
§
§
§

**CATHERINE L. DAVIS and TOMMY
MOORE, Individually and on Behalf of
Others similarly situated**
Plaintiffs,

§
§
§
§
§

**CAUSE NO. A-08-CA- JRN
(Consolidated)**

VS.

§
§

**DELL, INC. d/b/a DELL COMPUTER,
INC., a Delaware corporation, DELL USA
L.P., a Texas Limited Partnership and
DELL MARKETING L.P., a Texas
Limited Partnership**
Defendants

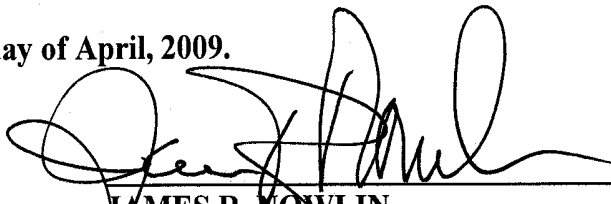
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ORDER

Before the Court in the above-entitled and styled cause of action is Plaintiff Hitul Gandhi's Motion to Certify Class and Memorandum in Support (Clerk's Dkt. No. 59); Defendants' Response in Opposition to Motion (Clerk's Dkt. No. 67); and Plaintiff Hitul Gandhi's Reply to Response to Motion (Clerk's Dkt. No. 69).

IT IS HEREBY ORDERED that the aforementioned Motion is **REFERRED** to United States Magistrate Judge Andrew W. Austin for Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), Federal Rule of Civil Procedure 72, and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, as amended.

SIGNED this 8th day of April, 2009.



A handwritten signature in black ink, appearing to read 'James R. Nowlin', is written over a horizontal line.

JAMES R. NOWLIN
UNITED STATES DISTRICT JUDGE